

AFFIDAVIT OF SPECIAL AGENT BENJAMIN MILLER

I, Benjamin Miller, having been duly sworn, do hereby depose and state as follows:

Agent Background

1. I am a Special Agent with Homeland Security Investigations (HSI) and have been so employed since June 2010. I have successfully completed a training program in conducting criminal investigations at the Federal Law Enforcement Training Center in Brunswick, Georgia. In 2007, I graduated from Northeastern University in Boston with a Bachelor of Science degree in Criminal Justice and in 2010 I received my Master's degree from Northeastern in Criminal Justice. My current duties as an HSI Special Agent include conducting investigations involving the fraudulent acquisition, production, and misuse of U.S. immigration documents, U.S. passports, and identity documents. Due to my training, experience, and conversations with other Law Enforcement Officers, I am familiar with the methods, routines, and practices of document counterfeiters, vendors, and persons who fraudulently obtain or assume false identities.

2. I am also a member of HSI's Document and Benefit Fraud Task Force ("DBFTF"), a specialized field investigative group comprised of personnel from various state, local and federal agencies with expertise in detecting, deterring and disrupting organizations and individuals involved in various types of document, identity and benefit fraud schemes. DBFTF is currently investigating suspected aliens, predominately from the Dominican Republic, who are believed to have obtained stolen identities of United States citizens living in Puerto Rico and used those identities to obtain public benefits which they would not otherwise be eligible to receive, including Massachusetts Registry of Motor Vehicles identity documents, Social Security numbers, Medicaid, and Public Housing. Among other things, a comparison of public benefits records revealed numerous identities who received public benefits in Puerto Rico and

Massachusetts on or about the exact same date.

Purpose of Affidavit

3. I submit this affidavit in support of an application for a criminal complaint seeking an arrest warrant for SANTO JESUS GONZALEZ VILLAR (“GONZALEZ VILLAR”) on the charges of Misuse of a Social Security Number, in violation of 42 U.S.C. § 408(a)(7)(B), and Aggravated Identity Theft, in violation of 18 U.S.C. § 1028A.

4. This affidavit is based on my personal knowledge, information provided to me by other law enforcement officers and federal agents, and my review of records described herein. This affidavit is not intended to set forth all of the information that I have learned during this investigation, but includes only the information necessary to establish probable cause for the requested criminal complaint.

Probable Cause

The RMV Application

5. On March 11, 2009, an individual, later identified as SANTO JESUS GONZALEZ VILLAR (“GONZALEZ VILLAR”), appeared in person at the Massachusetts Registry of Motor Vehicles (“RMV”) office and submitted an application for a duplicate Massachusetts Driver’s License. On the application, GONZALEZ VILLAR identified himself with the name B.C., date of birth of xx/xx/1968, and Social Security number (“SSN”) xxx-xx-2169.¹ GONZALEZ VILLAR signed the application under penalty of perjury. A photograph of GONZALEZ VILLAR was taken on March 11, 2009, as part of the application process and was stored in the RMV database. As a result of this application, the RMV issued a duplicate

¹ The identity of the victim, B.C.R., is known to the Government. These initials represent the victim’s first name, paternal last name, and maternal last name. In order to protect the victim’s privacy, only the initials “B.C.” and “B.C.R.” are used in this affidavit.

Massachusetts Driver's License number xxxx0646 to GONZALEZ VILLAR in the name of B.C.

6. On August 27, 2015, an individual submitted an online application for a renewal of a Massachusetts Driver's License via the RMV's website. The application was submitted using the name B.C., date of birth xx/xx/1968, and Massachusetts Driver's License number xxxx0646. The RMV renewed Massachusetts Driver's License number xxxx0646 in the name of B.C. as a result of this application. The photograph of GONZALEZ VILLAR taken at the RMV on March 11, 2009, was associated with the renewal issued on August 27, 2015.

The Asbestos Worker Application

7. On June 20, 2018, an individual, later identified as GONZALEZ VILLAR, appeared in person at the Commonwealth of Massachusetts, Department of Labor Standards in Haverhill, Massachusetts, and submitted an Absestos Worker Application. On the application, GONZALEZ VILLAR identified himself with the name B.C., date of birth of xx/xx/1968, and SSN xxx-xx-2169. As proof of his identity, GONZALEZ VILLAR submitted a Massachusetts Driver's License, number xxxx0646, issued on August 27, 2015, in the name of B.C. A photograph of GONZALEZ VILLAR was taken as part of the application process. Based on this application, the Department of Labor Standards issued an Asbestos Worker Identification Card, number xxxx8752, to GONZALEZ VILLAR in the name of B.C.

Other Use of the B.C. Name and Social Security Number

8. The Medicaid Program is a joint federal-state program that provides health coverage to certain categories of people, including eligible low-income adults, children, pregnant women, elderly adults, and individuals with disabilities. Medicaid is administered by the states,

according to federal requirements, and is funded jointly by the states and the federal government. MassHealth is the Medicaid Program in Massachusetts.

9. According to MassHealth records, at least one application for MassHealth benefits was submitted to MassHealth in March 2018 in the name of B.C. using the date of birth xx/xx/1968 and SSN xxx-xx-2169.

10. Information obtained by the United States Department of Labor, Office of Inspector General reveals that W-2 earnings were reported to the Commonwealth of Massachusetts in the name of B.C. and SSN xxx-xx-2169 for the following time periods: all four quarters of 2013, the first three quarters of 2014, the first and fourth quarters of 2015, all four quarters of 2016, the first three quarters of 2017, and the second quarter of 2018.

Confirmation of Valid Social Security Number

11. Social Security Administration, Office of Inspector General (“SSA-OIG”) confirmed that SSN xxx-xx-2169 is a valid SSN that was assigned in 1977 to B.C.R. with a date of birth of xx/xx/1968. Although the initial application listed B.C.R.’s mother’s name in the section for “Place of Birth,” the record later was updated to reflect that B.C.R.’s place of birth was Rio Piedras, Puerto Rico.

Identification of the Imposter

12. A criminal history search of the name B.C. with a date of birth of xx/xx/1968 and SSN xxx-xx-2169 revealed a Fingerprint Identification Number System (“FINS”) number associated with that individual. A subsequent search for records based on the FINS number yielded a prior arrest of that individual by the United States Customs and Border Protection, Border Patrol in July 1999. During that arrest, the individual stated that his name was SANTO JESUS GONZALEZ VILLAR, his date of birth was xx/xx/1969, and he was born in the

Dominican Republic.

13. In June 2018, United States Department of State personnel conducted a search in the Cedula database for SANTO JESUS GONZALEZ VILLAR. The search returned a record of a Dominican Republic Cedula for SANTO JESUS GONZALEZ VILLAR, Cedula Number xxx-xxxx952-2, which identified GONZALEZ VILLAR as a citizen of the Dominican Republic with a date of birth of xx/xx/1969. The Cedula contained a photograph of GONZALEZ VILLAR as well as fingerprints.

14. I know based on my training and experience that a Cedula is a national identity document issued to residents of the Dominican Republic. I believe that the individual pictured in Cedula Number xxx-xxxx952-2, GONZALEZ VILLAR, appears to be the same person depicted in the photograph that was taken at the RMV in connection with the March 11, 2009, application for a duplicate Massachusetts Driver's License in the name of B.C.

15. A criminal record check for B.C. with a date of birth of xx/xx/1968 revealed a criminal history in Massachusetts, including an arrest in March 2017 for Distributing a Class A Substance. A copy of the fingerprints associated with the individual arrested in March 2017 in the name B.C. were obtained.

16. On July 18, 2018, a Fingerprint Specialist at HSI's forensic laboratory examined the fingerprints associated with the Cedula in the name of SANTO JESUS GONZALEZ VILLAR and the fingerprints obtained in connection with the March 2017 arrest of B.C. The Fingerprint Specialist determined that the fingerprint impressions were made by the same individual.

Identification of the True B.C.

17. United States Department of State personnel conducted a search of the Driver and

Vehicle Information Database (“DAVID”), which includes driver’s licenses and identification cards issued in Puerto Rico, for licenses and identification cards issued in the name of B.C. The search revealed that Puerto Rico Identification Card number xxx0272 was issued to an individual in the name B.C.R., with a date of birth of xx/xx/1968 and a SSN of xxx-xx-2169. The photograph associated with the license was obtained.

18. I have compared the photographs associated with the March 11, 2009, application for a duplicate Massachusetts Driver’s License in the name of B.C., described above in paragraph 5, to the photograph associated with Puerto Rico Identification Card number xxx0272 in the name of B.C.R., and conclude that the photographs do not depict the same person.

Conclusion

19. Based on the foregoing, I have probable cause to believe that, on or about June 20, 2018, SANTO JESUS GONZALEZ VILLAR falsely represented, with intent to deceive and for any purpose, a number to be the Social Security account number assigned by the Commissioner of Social Security to him, when in fact such number is not the Social Security account number assigned by the Commissioner of Social Security to him, in violation of 42 U.S.C. § 408(a)(7)(B). Further, I have probable cause to believe that on or about June 20, 2018, SANTO JESUS GONZALEZ VILLAR knowingly transferred, possessed and used, during and

in relation to any felony violation enumerated in 18 U.S.C. § 1028A(c), and without lawful authority, a means of identification of another person, in violation of 18 U.S.C. § 1028A.

Sworn to under the pains and penalties of perjury.



BENJAMIN MILLER
Special Agent
Homeland Security Investigations

Subscribed and sworn before me on July 24, 2018


MARIANNE B. BOWLER
United States Magistrate Judge
